



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Application of:

Mark Z. Kubin and Raymond G. Goodwin

Docket No.: 1010-U

Serial No: 09/667,859

Examiner: Li, Bao-0

Filed: September 20, 2000

Group Art Unit: 1648

For: NK CELL ACTIVATION INDUCING LIGAND (NAIL) DNA AND
POLYPEPTIDES, AND USES THEREOF

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Commissioner for Patents
Washington DC 20231

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**RESPONSE TO OFFICE ACTION
AND REQUEST TO REMOVE FINALITY**

Dear Sir:

In response to the Office Action dated 20 September 2002 (Paper No. 9), Applicants respectfully request entry of the amendment and consideration of the remarks set forth below. Enclosed herewith please find a Petition to Extend the Time for Reply by three (3) months and a Notice of Appeal, both accompanied by authorization to charge the appropriate fees. Although Applicants are filing a Notice of Appeal, Applicants submit that the outstanding Office Action should not have been made final, as explained more fully below.

AMENDMENTS

In the title:

Please change the title to recite -NUCLEIC ACIDS ENCODING NK CELL ACTIVATION INDUCING LIGAND (NAIL), AND USES THEREOF--.

In the claims:

/

Please cancel claim 79, without prejudice.

REMARKS

Applicants have amended the title to more accurately reflect the currently claimed invention. No new matter has been added. Claim 79 has been cancelled without prejudice to future prosecution of this claim. After cancellation of this claim, the outstanding rejections are under 35 U.S.C. § 112, first and second paragraphs, and § 103.